

Appl. No. : 10/722,313
Filed : November 25, 2003

SUMMARY OF INTERVIEW

Applicants would like to thank the Examiner for the courtesy of the telephonic interview conducted on September 16, 2005.

Identification of Claims Discussed

Claims 47-54 and 56 were discussed.

Identification of Prior Art Discussed

U.S. Patent No. 6,780,343 was discussed.

Results of Interview

The examiner indicated that if applicants were to amend Claim 47 to state "consisting of" rather than "comprises" in an After Final amendment the Examiner would allow Claim 47.

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REMARKS

Claims 1-9, 14-17, and 39-80 are currently pending in this application. Claims 47, 48, 55-58, and 61 have been amended, Claims 20-38 and 77 have been cancelled as directed to a non-elected invention, Claims 10-13 and 18-19 were previously cancelled, and Claims 78-80 are new. Reconsideration of the application in view of the preceding amendments and following comments is respectfully requested.

Objections to the Drawings

The Examiner has objected to the drawings as failing to comply with 37 CFR 1.84(p)(5) because Figures 1 and 2 do not include the reference characters 256, 258, 264, 266, 268, 270, 276 and 284 discussed in paragraphs [0040H] and [0040M]-[0040O]. Applicants have amended the specification and drawings to include the relevant portions of U.S. Patent Publication No. 2001/0029400A1 which describe reference characters 256, 258, 264, 266, 268, 270, 276 and 284. These are described in Figures 7-10 (described as Figures 9-11 and 15 respectively of U.S. Patent Publication No. 2001/0029400A1) submitted with this amendment. The amendatory material consists of subject matter from U.S. Patent Publication No. 2001/0029400A1 which was incorporated by reference into the present application and is therefore not new matter. (See Declaration submitted herewith) Applicants submit that these amendments are fully responsive to the Examiner's objections.

Objection to the 29 April 2005 Amendment

The Examiner has objected to the prior amendment as including new matter because the amendment was not accompanied by an affidavit or declaration executed by the applicant, or a practitioner representing the applicant, stating that the amendatory material consists of subject matter in the application that was incorporated by reference. Applicants include herewith a declaration with regard to the prior and present amendments to the specification, and submit that the declaration is fully responsive to the Examiner's objections.

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Withdrawn Claim 20-37 and 77

The Examiner has withdrawn claim 20-37 and 77 as being directed to a non-elected invention. Accordingly, applicants have cancelled these claims, as well as related Claim 38.

Objections to Claims 57 and 61

The Examiner objected to Claims 57 and 61 as being dependent upon a rejected base claim. Applicants have amended these claims into independent form incorporating all the limitations of the base claim such that Claims 57 and 61 should be allowable. Dependent Claims 48, 55, 56, and 58 have been amended to be dependent upon Claim 57 such that Claims 48-60 are directly or indirectly dependent from Claim 57 and new Claims 78-80 are dependent on Claim 61. Accordingly, Claims 48-60 and 78-80 are patentable at least for the same reasons as the independent claims from which they depend, and also because each claim recites a novel and nonobvious combination of elements.

35 U.S.C. 103(a) Rejections

The Examiner has rejected Claims 47-54 and 56 under 35 U.S.C. 103(a) as being unpatentable over WO 02/10281. Claim 47 has been amended as agreed in the interview, such that Applicants submit that this claim is presently allowable.

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Conclusion

In view of the foregoing, Applicant respectfully submits that all pending claims of the present application are in condition for allowance, and such action is earnestly solicited. If, however, any questions remain, the Examiner is cordially invited to contact the undersigned so that any such matter may be promptly resolved.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 29 Sept 2005

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